

REMARKS

Favorable reconsideration is respectfully requested.

The claims are 15 to 19.

The above amendment is responsive to points set forth in the Final Rejection dated November 21, 2007 and in the Advisory Action dated May 7, 2008.

In the Advisory Action, the Examiner questions written descriptive support in the specification for the case where there is graphite with no space in between the layers. This issue is moot with regard to new claims 18 and 19.

These comments should not be taken as a concession that there is no written descriptive support for the case where the present invention produces multilayered graphite disposed with no spaces therebetween as recited in claim 15. But in any event, this issue is moot with regard to new claims 18 and 19.

With regard to the rejection of claims 15 to 17 over Journet et al. in view of Bandow et al. and Iijima et al., this rejection is again respectfully traversed. The present invention produces graphite nanospheres under high pressure of 5 to 10 atms. There is no hint or suggestion of this concept in any of the cited references.

Journet et al. does not disclose the production of carbon nanospheres but only carbon nanotubes. So there is no possibility that the presently recited process conditions are known to be result effective variables for the production of carbon nanospheres. The only pressure clearly disclosed by Journet et al. is in the right hand column wherein 660 mbar is disclosed which is equal to 0.65 atm, far below that presently recited. Thus, Journet et al. clearly does not appreciate that carbon nanospheres can be produced at elevated temperatures and pressures as presently recited.

Bandow et al. does not overcome the deficiencies of Journet et al. only discloses the production of carbon nanotubes at 1 to 2 atm. See the paragraph bridging the left and right hand column on page 8839. This is far below the pressures presently recited.

Iijima et al. features the production of carbon nanohorns at room temperature. See the abstract. This is far below the temperatures presently recited.

Thus, the cited references alone or combined are completely unsuggestive of the process as presently claimed.

Favorable action is now requested.

Respectfully submitted,

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